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FILED
DISTRICT COURT OF GUAM

MAR -2 2006

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO.05-00053
)	
Plaintiff,)	
)	
vs.)	NOTICE OF SCHEDULING
)	CONFLICT AND REQUEST
)	FOR TELEPHONIC CONFERENCE
CHRISTOPHER M. ESPINOSA,)	
)	
Defendant.)	
_____)	

On March 2, 2006, Defendant's counsel received (1) the Court's Order setting a final pretrial conference for March 6, 2006 at 1:30 p.m., and (2) a Superceding Indictment with a Summons to appear on March 3, 2006 at 11:15 a.m.


Defendant's counsel is currently in a civil jury trial in the Superior Court of Guam, captioned *RCS, Inc. et al. v. Shell Guam, Inc.*, Civil Case Nos. CV1449-99 and 1548-99. This trial is in its fourth week and closing argument and jury instructions are expected to be given tomorrow, March 3, 2006. Defendant's counsel cannot be in federal court at the time set in the notice received this morning.

Defendant's counsel is counsel for the Commonwealth of the Northern Mariana Islands, and its former Attorney General, in a multi-party civil action, captioned *Rosario DLG Kumagai v. Pamela Brown, aka Pamela Brown Blackburn, personally and in her official capacity as the*

Attorney General for the Commonwealth of the Northern Mariana Islands, et al., District Court for the Northern Mariana Islands Civil Action No. 05-0037. Defendant's counsel, on behalf of the Commonwealth and former Attorney General Brown, has filed a Rule 12(b)(6) motion to dismiss, which is scheduled to be heard on March 6, 2006. The hearing date on this matter was set to accommodate the March 7th trial in the *Espinosa* matter. The hearing on the *Kumagai* case will take place on the island of Saipan. Defendant's counsel is flying to Saipan on Sunday night for the hearing on Monday. The first available flight after the hearing is at approximately 5:00 p.m. Monday evening, arriving in Saipan after 6 p.m. Defendant's counsel will not be on island for the final pre-trial counsel noticed today.

DATED this 2nd day of March, 2006.

CIVILLE & TANG, PLLC

By: 
G. PATRICK CIVILLE
Attorneys for Defendant

CERTIFICATE OF SERVICE

I, G. PATRICK CIVILLE, hereby certify that on March 2, 2006, I caused the foregoing document to be served by hand delivery on the Office of the United States Attorney Suite 500, Sirena Plaza, 108 Hernan Cortez Ave., Hagåtña, Guam 96910.

DATED at Hagåtña, Guam, this 2nd day of March, 2006.

CIVILLE & TANG, PLLC

By: 

G. PATRICK CIVILLE

Attorneys for Defendant

Christopher M. Espinosa